

JAP:RMT

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

M-10-1125

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UNITED STATES OF AMERICA

- against -

DAISUKE SATO,
also known as
"Daisuke Satoh,"

C O M P L A I N T

(T. 8, U.S.C.,
§§ 1326(a) and
1326(b)(2))

Defendant.

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EASTERN DISTRICT OF NEW YORK, SS:

TODD SABINO, being duly sworn, deposes and states that he is an Enforcement Officer with the Bureau of Customs and Border Protection, duly appointed according to law and acting as such.

On or about September 27, 2010, within the Eastern District of New York and elsewhere, the defendant DAISUKE SATO, also known as "Daisuke Satoh," being an alien who had previously been arrested and convicted of an aggravated felony, and was thereafter excluded and removed from the United States, and who had not made a re-application for admission to the United States to which the Secretary of the Department of Homeland Security had expressly consented, attempted to enter the United States.

(Title 8, United States Code, Section 1326(b)(2)).

The source of your deponent's information and the grounds for his belief are as follows:^{1/}

1. I am an Enforcement Officer with the Bureau of Customs and Border Protection ("CBP") and have been involved in the investigation of numerous cases involving the illegal re-entry of aliens. I am familiar with the facts and circumstances set forth below from my participation in the investigation; my review of the investigative file, including the defendant's criminal history record; and from reports of other law enforcement officers involved in the investigation.

2. On or about September 27, 2010, the defendant DAISUKE SATO, also known as "Daisuke Satoh," arrived at John F. Kennedy International Airport, in Queens, New York aboard American Airlines flight number 168 from Narita, Japan. The defendant, a citizen of Japan, presented to CBP a Japanese passport in the name of "Daisuke Satoh."

3. The defendant DAISUKE SATO, also known as "Daisuke Satoh," was subsequently fingerprinted, and those fingerprints were matched to an individual named "Daisuke Sato" who on or about July 22, 1996 was convicted of Sexual Abuse in the First Degree, in violation of Section 130.65(3) of the New York State

^{1/} Because the purpose of this Complaint is to set forth only those facts necessary to establish probable cause to arrest, I have not described all the relevant facts and circumstances of which I am aware.

Penal Law, an aggravated felony offense. That same individual was removed from the United States on or about June 11, 1998 pursuant to an order by an immigration judge dated May 11, 1998.

4. A preliminary search of immigration records has revealed that there exists no request by the defendant DAISUKE SATO, also known as "Daisuke Satoh," for permission from either the United States Attorney General or the Secretary of the Department of Homeland Security to re-enter the United States after removal.

5. After he was arrested, the defendant DAISUKE SATO, also known as "Daisuke Satoh, waived his Miranda rights and admitted in sum and substance that he had previously been convicted of a sexual abuse crime and that he had been removed from the United States back to Japan after serving a prison term for that conviction.

WHEREFORE, your deponent respectfully requests that the defendant DAISUKE SATO, also known as "Daisuke Satoh, be dealt with according to law.



Todd Sabino
Enforcement Officer
Bureau of Customs and Border
Protection

Sworn to before me this
28th day of September, 2010



UNITED STATES
EASTERN DISTRICT OF NEW YORK

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